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Decision of the Solicitor of the Treasury that consular officers have authority to withhold bill of health if national quarantine laws are not complied with.

DEPARTMENT OF JUSTICE,
OFFICE OF THE SOLICITOR OF THE TREASURY,
Washington, D. C., May 27, 1905.

SIR: Surg. A. H. Glennan, Acting Surgeon-General, Marine Hospital Service, desires to be informed whether, under the circumstances stated in the correspondence submitted by him to the Secretary of the Treasury, and by him referred to this office, the master, agent, or owner of a vessel refusing to carry out the provisions of the United States quarantine laws and regulations, a consular officer would be justified in refusing a bill of health.

It appears from the correspondence that large numbers of emigrants embarking at Bremen, Germany, for this country are frequently presented for examination just prior to the sailing of the vessel, so that the proper inspection of the passengers and the necessary disinfection of the baggage is impossible.

Section 2 of the act of February 15, 1893, provides:

That any vessel at any foreign port clearing for any port or place in the United States shall be required to obtain from the consul, vice-consul, or other consular officer of the United States at the port of departure, or from the medical officer where such officer has been detailed by the President for that purpose, a bill of health, in duplicate, in the form prescribed by the Secretary of the Treasury, setting forth the sanitary history and condition of said vessel, and that it has in all respects complied with the rules and regulations in such cases prescribed for securing the best sanitary condition of the said vessel, its cargo, passengers, and crew; and said consular officer or medical officer is required, before granting such duplicate bill of health, to be satisfied that the matters and things therein stated are true.

Paragraph 5 of the Quarantine Laws and Regulations, made pursuant to the statute, provides:

The officer issuing the bill of health shall satisfy himself, by inspection, if necessary, that the conditions certified to therein are true, and is authorized, in accordance with the law, to withhold the bill of health or the supplemental bill of health until he is satisfied that the vessel, the passengers, the crew, and the cargo have complied with all the quarantine laws and regulations of the United States.

I am satisfied that the United States consular officer of that port would not only have the power to withhold a bill of health, but, under the circumstances mentioned in the correspondence, it would clearly be his duty to do so.

The papers submitted are herewith returned.

Respectfully,

MAURICE D. O'CONNELL,
Solicitor.

The SECRETARY OF THE TREASURY.

Conference of the Kansas State board of health with county and municipal health officers.

The second annual conference of the State board of health of Kansas with county and municipal health officers will be held in the state house at Topeka June 27, 1905.

The programme will include a report on legislation; on the new State laboratory; on disinfection; on modern sanitation—(a) municipal

disposal of garbage and refuse, (*b*) rural disposal of garbage and refuse; on the health officer—(*a*) his legal status, (*b*) his relation to the community, (*c*) his relation to the profession; and on quarantine *v.* vaccination in the control of smallpox.

[Reports to the Surgeon-General Public Health and Marine-Hospital Service.]

Report from Gulfport, Miss.—Case of intermittent malarial fever on barkentine Hornet, from Colon—Health conditions.

Acting Assistant Surgeon Sheely reports, June 18, as follows:

I have to report 1 case of intermittent malarial fever on barkentine *Hornet*, from Colon, arrived at this port last week. One death from hemorrhage due to portal obstruction, probably from cirrhosis of liver, was reported.

The weather has been very dry and extremely hot, and intestinal disorders in children are prevalent.

INSPECTION SERVICE, MEXICAN BORDER.

Inspection at Eagle Pass, Tex.

Acting Assistant Surgeon Hume reports as follows:

	Week ended June 18, 1905.
Persons inspected on trains	180
Persons held	0

Inspection at El Paso, Tex.

Acting Assistant Surgeon Alexander reports as follows:

Week ended June 17, 1905:

Inspection Mexican Central passengers, 178; inspection Mexican Central immigrants, 84; inspection of Japanese, 6; inspection of Arab, 1; disinfection soiled linen imported for laundry work, 517 pieces; vaccination of children of immigrants, 11.

Inspection at Laredo, Tex.

Acting Assistant Surgeon Hamilton reports, June 21, as follows:

Week ended June 17, 1905: Passenger trains from Mexico inspected, 14; persons on passenger trains from Mexico inspected, 592; immigrants on passenger trains from Mexico inspected, 37; immigrants vaccinated upon entry from Mexico, 17; persons refused entry by Texas quarantine inspector, 2; certificates of 1 corpse inspected and corpse passed from Mexico.

Mortality statistics of Nuevo Laredo, Mexico, for month of May, 1905.—Congenital debility, 4; meningitis, 1; diarrhea, 1; ascites, 1; fever (4 years), 1; syphilis, 1; Bright's disease, 1; tuberculosis, 2; stillborn, 2; traumatism, 1; gastro-enteritis, 1; pernicious fever (6 months), 1; epilepsy, 1. Total, 18. Eight deaths were of infants 6 months old or less.

Population, 6,000 (estimated); rate, 36.